

### **REMARKS**

Applicant thanks the Examiner for the thorough examination of the application. The specification has been amended to correct a minor error and to clarify a passage at page 8 of the specification. No new matter is believed to be added to the application by this Amendment.

### **Statement Of Substance Of Interview**

The Examiner is thanked for graciously conducting a personal interview with the applicant's representative on September 23, 2005. During the interview, proposed amendments to the claims were discussed. Also, the meaning of page 8 of the specification was discussed. Also, the Examiner noted that the proposed amendments to the claims may overcome the prior art rejections depending on further consideration and/or search and obviousness considerations.

At the end of the interview, the Examiner prepared an Interview Summary. The Interview Summary has been reviewed, and it appears to accurately reflect the substance of the Interview.

### **Status Of The Claims**

Claims 1-18 are pending in the application. Claims 10-12 have been withdrawn from consideration by the Examiner. Claims 17 and the amendments to claim 1 find support in Ex. 3 and Ex. 4 in Table 1-1 of the specification. Claim 18 finds support in the Figures and in the specification from page 13, line 7 to page 14, line 15.

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**Objection To The Specification**

The Examiner objects to the specification as not being written in a clear and exact way so as to enable one skilled in the art to practice the invention. The Examiner points to page 8 of the specification and asserts that this description does not clearly describe inclining the hitting face 2 to zero. However, this passage at page 8 of the specification has been rewritten to clearly describe the orientation as the face angle of the hitting face 2 inclines to zero. The specification is thus clear.

**Rejection Under 35 U.S.C. §112, First Paragraph**

Claim 9 is rejected under 35 U.S.C. §112, first paragraph as failing to comply with the enablement requirement. Applicant traverses.

In the Office Action, the Examiner asserts that claim 9 is not enabled so that one skilled in the art would not know the head orientation as the angle goes to zero. However, as noted above, page 8 of specification (relied upon by the Examiner) has been amended to clearly describe inclining the hitting face 2 to zero. As a result, claim 9 is fully enabled by the specification.

This rejection is overcome and withdrawal thereof is respectfully requested.

**Rejections Under 35 U.S.C. §103(a)**

Claims 1-8 are rejected under 35 U.S.C. §103(a) as being obvious over Stites (U.S. Patent 5,935,020) in view of JP '968 (JP 2001-299968). Claims 1-3 and 5-8 are rejected under 35 U.S.C. §103(a) as being obvious over Stites in view of JP '781 (JP 1-

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166781). Claims 9 and 13-15 are rejected under 35 U.S.C. §103(a) as being obvious over Stites in view of JP '968 (as applied to claim 1-8) and further in view of Hirakawa (U.S. Patent 6,379,265). Claim 16 is rejected under 35 U.S.C. §103(a) as being obvious over Stites in view of JP '968 and Hirakawa (as applied to claims 9 and 13-15) and further in view of Rice (U.S. Patent 6,821,214) and Galloway (U.S. Patent 6,354,962). Claims 9 and 13-15 are rejected under 35 U.S.C. §103(a) as being obvious over Stites in view of JP '781 (as applied to claims 1-3 and 5-8) and further in view of Hirakawa. Claim 16 is rejected under 35 U.S.C. §103(a) as being obvious over Stites in view of JP '781 and Hirakawa (as applied to claims 9 and 13-15) and further in view of Rice and Galloway. Applicant traverses.

*The Present Invention And Its Advantages*

The present invention pertains to a novel wood-type driver that exhibits unexpected performance when fulfilling moment of inertia conditions around a center line of a shaft axis and a depth of center of gravity. The present invention has many embodiments, and a typical embodiment can be found in claim 1:

1. A wood-type golf club head satisfying the following three conditions in a moment  $M$  of inertia around a center line of a shaft axis ( $\text{g}\cdot\text{cm}^2$ ) and a depth  $L$  of center of gravity (mm):

- (1)  $5950 \leq M \leq 7000$ ;
- (2)  $30 \leq L \leq 50$ ; and
- (3)  $M \leq (200 \times L) - 2000$ .

*Distinctions Of The Invention Over The Applied Art*

Stites pertains to a golf club head having multiple parameters. At page 4 of the Office Action, the Examiner admits that Stites fails to disclose a moment of inertia M between 4000 and 7000.

The Examiner then turns to JP '968, which discusses a moment of inertia of 4661. However, instant claim 1 of the present invention recites a range of 5950 to 7000, which is outside of the teachings of JP '968.

The Examiner then turns to JP '781, which discusses a moment of inertia of 4500. However, instant claim 1 of the present invention recites a range of 5950 to 7000, which is outside of the teachings of JP '781.

The additional teachings of Hirakawa, Rice and Galloway fail to address the deficiencies of Stites, JP '968 or JP '781 in teaching or suggest the claimed range of moment of inertia.

As a result, one of ordinary skill in the art would not be motivated by Stites in any combination of the secondary references to produce the present invention embodied in claim 1. A *prima facie* case of obviousness has not been made. Claims depending upon claim 1 are patentable for at least the above reasons. These rejections are overcome and withdrawal thereof is respectfully requested.

### **Information Disclosure Statement**

The Examiner is thanked for considering the Information Disclosure Statement filed March 3, 2004 and for making the initialed PTO-1449 form of record in the application in the Office Action mailed February 8, 2005.

### **The Drawings**

The Examiner is respectfully requested to indicate whether the drawing figures are acceptable in the next official action.

### **Foreign Priority**

The Examiner is respectfully requested to acknowledge foreign priority in the next official action.

### **Conclusion**

The Examiner's objection and rejections have been overcome, obviated or rendered moot. No issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner, Ph.D. (Reg. No.42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a two (2) month extension of time for filing a reply in connection with the present application, and the required fee of \$450.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By  \_\_\_\_\_

Andrew D. Meikle  
Registration No.: 32,868  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant